

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

1.	<b>JASON R. DOLLARHIDE,</b>	)	
2.	<b>HEATHER DOLLARHIDE,</b>	)	
3.	<b>JASON R. DOLLARHIDE,</b> as Parent and	)	
	Next Friend of M.C.D., a Minor Child.	)	
		)	
	Plaintiffs,	)	Case: 5:22-cv-642-PRW
		)	
	v.	)	
		)	Attorney's Lien Claimed
1.	<b>STATE OF OKLAHOMA ex rel.</b>	)	
	<b>OKLAHOMA DEPARTMENT OF</b>	)	Jury Trial Demanded
	<b>PUBLIC SAFETY,</b>	)	
2.	<b>TROOPER DENNIS DICKENS,</b>	)	
3.	<b>TROOPER MIKE SHARP,</b> Marine Division,	)	
4.	<b>BOARD OF COUNTY COMMISSIONERS</b>	)	
	<b>CLEVELAND COUNTY,</b>	)	
5.	<b>SGT. LYON, PARK RANGER,</b>	)	
6.	<b>DEPUTY CANNON,</b>	)	
7.	<b>CITY OF NORMAN OKLAHOMA</b>	)	
	<b>NORMAN POLICE DEPARTMENT</b>	)	
8.	<b>OFFICERS, STRAUS, RHYMES,</b>	)	
	<b>ROSALES, HAGGLER AND HICKS</b>	)	
	of the Norman Police Department.	)	
		)	
	Defendants.	)	

**PLAINTIFF'S FIRST AMENDED COMPLAINT**

Pursuant to this Courts Order [Doc. # 29] wherein it was directed that the Plaintiff file a Motion for Leave to Amend his Complaint with an amended Complaint pursuant to FRCP Rule 8 and according to LCvR15.1 by July 24, 2023, the Plaintiff through his counsel, CONRADY LAW, PLLC by James A. Conrady, alleges and states as follows:

**JURISDICTION AND VENUE**

This action arises under the United States Constitution, particularly under the

provisions of the First (1<sup>st</sup>), Fourth (4<sup>th</sup>) and Fourteenth (14<sup>th</sup>) Amendments.

This Honorable Court has jurisdiction under 28 U.S.C. § 1343, and under the Civil Rights Act, 42 U.S.C. § 1983.

This Honorable Court also has supplemental jurisdiction pursuant to 28 U.S.C. § 1367, in that the claims are so interrelated and arise out of the same conduct and occurrences, so that they form a part of the same controversy under Article III of the United States Constitution.

6. Venue is proper before this Court pursuant to 28 U.S.C. § 1391, in that all Defendant law enforcement actors are all residents and are employed by state or local institutions and governmental entities within the jurisdiction of this Court; and all acts were committed in Cleveland County, State of Oklahoma, which is within the jurisdiction of this Court

### **PARTIES**

1. The Plaintiffs are Jason Dollarhide, a resident of Cleveland County, Heather Dollarhide, a resident of Cleveland County and M.C.D., a 4 year old minor child of Jason and Heather Dollarhide, also a resident of Cleveland County.

2. The Oklahoma Department of Public Safety (Highway Patrol) is an agency of the State of Oklahoma.

3. Dennis Dickens, is a Trooper employed by the Oklahoma Department of Public Safety.

4. Mike Sharp is a Trooper employed by the Oklahoma Department of Public

Safety, Marine Division.

5. Cleveland County is a political sub-division of the State of Oklahoma.

6. Sgt. Lyon, is a Park Ranger, and Deputy Cannon, are employed by Cleveland County.

7. The City of Norman Oklahoma is a political sub-division of the State of Oklahoma. The Norman Police Department is an agency of the City of Norman.

8. Officers, Straus, Rhymes, Rosales, Haggler and Hicks are all employees of the Norman Police Department.

### **FACTUAL ALLEGATIONS**

9. At all times relevant hereto, defendant officers were acting under the color of law and under the statutes, ordinances, regulations, customs and usage of the State of Oklahoma, the Department of Public Safety, the County of Cleveland, the City of Norman and the Norman Police Department, and within their scope of their employment.

10. On August 1, 2021, at 5:30 PM, Plaintiffs were in their Chevrolet Tahoe at lake Thunderbird located at 132nd and Alameda. The plaintiffs were in an area designated for deer watching. While watching the deer, the Defendant, Dennis Dickens, aggressively pulled up behind Plaintiff's vehicle and honked his horn scaring off the deer.

11. Dickens approached the passenger side of the car and asked what the plaintiffs were doing there. Plaintiffs stated that they were watching the deer. Dickens then said people are usually making out or doing things they shouldn't be. Plaintiffs responded that they were just watching the deer. Dickens can says this area is for

Highway Patrol and the plaintiffs said that's not what the sign says. Dickens said I don't care what the sign says but you all are "fine" and thanked Plaintiffs for doing not doing what he claimed other people do there.

Dickens then made a comment about the child's car seat and then said we were free to go. Jason said quote thanks for scaring off the deer. That I can say it there are plenty of deer around here. Dickens then got back into his patrol unit and turned around to leave but shortly thereafter turned around and turned on his emergency lights and then approached the Tahoe again.

12. Dickens ask for Jason's ID. Jason refused to give his driver's license but gave his name and his date of birth. Dickens then ask about the bumper sticker on the back of the car that read B.I.T.C.H. Jason said that it stood for behind every BITCH is a car seat. Dickens stated he could write a ticket for the bumper sticker. Dickens then went back to his patrol vehicle.

13. Dickens then demanded that Jason get out of the vehicle and put on handcuffs on one of Jason's hands and tried to drag Jason out of the car. Plaintiffs asked for a supervisor and then called 911 for help.

14. A lady officer arrived followed by a multitude of officers from Cleveland County and the Norman Police Department. The matter descended into chaos.

15. For a complete video of the whole exchange between the Plaintiffs and Defendants, (On a computer browser, please review the **YOU TUBE** video by copying, **"You've NEVER Seen "Hands-On" Like This Before | WILD I.D. Refusal"**, and

paste it on your browser's search box and ENTER.)

**FIRST CAUSE OF ACTION**  
(1st Amendment Claims)

16. Dickens had the right to investigate the vehicle and make inquiry of the Plaintiffs. However, Dickens had no probable cause to or right to write a citation for the bumper sticker; to do so is an infringement of the Plaintiff's rights to free speech. Plaintiffs asserted their right to free speech.

**SECOND CAUSE OF ACTION**  
(4<sup>th</sup> Amendment Claims)

17. The Fourth Amendment to the Constitution states:

**“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”**

18. Oklahoma does not have mandatory identification laws. In Oklahoma it is not proper for a law officer to require identification unless one has committed a crime or is in the process of committing a crime. Dickens had the right to investigate the vehicle and make inquiry of the Plaintiffs. However, Dickens had no probable cause to demand Jason Dollarhide or Heather Dollarhide's identification. Plaintiffs assert that this case and all of its surrounding circumstances reflect a lack of proper training, proper supervision and resulted in a total escalation of conduct that is offensive not only to these Plaintiffs but also to the public at large.

**THIRD CAUSE OF ACTION**  
(14<sup>th</sup> Amendment Due Process Claims)

19. The Fourteenth Amendment prohibits any state from depriving any person of life, liberty, or property, without due process of law.

Procedural due process requires the Plaintiff to have a protected interest and whether or not the Plaintiff was afforded an appropriate level of due process.

Substantive due process violation occurs “where government action has infringed a fundamental right without a compelling government purpose” or “where government action deprives a person of life, liberty, or property in a manner so arbitrary it shocks the conscience.”

Plaintiffs assert that they were denied both substantive and procedural due process. A review of the 32 minute **You Tube Video** is a shock to anyone’s conscience.

**FOURTH CAUSE OF ACTION**  
(State and Common Law Claims)

**Assault and Battery:**

20. Dickens assaulted Heather Dollarhide by trying to snatch her cell phone in her effort to call for help and to video Dickens abhorrent conduct. Battery is evident from the video.

Dickens committed battery upon Jason when without any probable cause handcuffed Jason and drug him out of the Tahoe.

**False Arrest:**

21. All named defendants are responsible for the arrest and detention of Jason

without a warrant and without probable cause.

**False Imprisonment**

22. Because of the lack of probable cause in the beginning, Jason was falsely imprisoned. Jason was required to post a \$25,000 bond for watching deer with his family.

**Infliction of Emotional Distress**

23. During the video the 4 year old daughter is heard screaming and crying. A jury will decide the level of emotional distress inflicted upon the Plaintiffs.

**Exemplary Damages:**

24. The conduct of all individual defendants was so egregious and in such utter disregard to the rights of the Plaintiffs that the jury should award punitive damages against Dennis Dickens and other individual defendants to deter such outrageous conduct in the future.

**CONCLUSION**

25. There was no probable cause for this contact at a public place to have escalated into an unwarranted conflict, for batteries to be committed, for the arrest and detention of Jason and the emotional harm to all Plaintiffs.

**WHEREFORE**, Plaintiffs seek compensation for all cause of action in the amount of \$250,000 plus punitive damages against the individual defendants in such an amount as a jury may award after trial.

Dated this 24th day of July, 2023.

Respectfully submitted,

/s/ James A. Conrady

James A. Conrady, OBA #1853  
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***ATTORNEY for the PLAINTIFF***

**CERTIFICATE OF SERVICE**

I hereby certify that on the 24th day of July, 2023, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to all CM/ECF registrants.

/s/ James A. Conrady

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